

COCP No.862 of 2006

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

COCP No.862 of 2006

Date of decision: November 13, 2006.

Naginder Singh Rana

...**Petitioner(s)**

v.

Shri B.C. Gupta & Anr.

...**Respondent(s)**

Present: Shri K.S.Dadwal, Advocate for the petitioner.

Shri G.S. Cheema, Sr. Dy. Advocate General, Punjab
for the respondents.

Surya Kant, J. (Oral)

The petitioner filed CWP No.20135 of 2003, which was disposed of by this Court on 6.12.2005 with a direction to take a conscious and cautious decision upon his representation dated 29.7.2003. It may be mentioned here that before the Division Bench, the petitioner gave up his claim so far as it pertained to challenging the promotion of respondents No.3 and 4. It was in this backdrop that the Division Bench directed the respondents to consider the case of the petitioner if so possible and permissible under law w.e.f. the date his juniors were allegedly promoted.

Alleging non-compliance of the above stated order, this contempt petition has been filed.

On July 20, 2006, Learned State Counsel was asked to get instructions in the matter.

Pursuant thereto, an affidavit has been filed by Dr. B.C. Gupta, Principal Secretary to Govt. Punjab, Department of Home Affairs and Justice and Mr. S.S. Virk, Director General of Police, Punjab. Along with his affidavit, Mr. Virk has appended a self-speaking order dated 7.8.2006 vide which the claim of the petitioner for promotion appears to have been considered and turned down.

It is argued by Learned Counsel for the petitioner that while passing the order dated 7.8.2006, various material facts have been overlooked by the authorities.

After hearing Learned Counsel for the parties and having regard to the scope of interference in such like orders in contempt proceedings, this petition is disposed of with liberty to the petitioner to impugn the above stated speaking order before an appropriate forum, if so advised.

Disposed of.

November 13, 2006.
kadyan

[**Surya Kant**]
Judge